

- a. Under “Subchapter 2D Air Pollution Control Requirements” revising the entry for “Section .0101”; and
- b. Under Subchapter 2Q Air Quality Permit Procedures by revising the

entries for “Section .0101”, “Section .0103”, “Section .0104”, “Section .0105”, “Section .0106”, “Section .0107”, “Section .0108”, “Section .0109”, “Section .0110”, “Section .0111”, and “Section .0304”.

The revisions read as follows.

§ 52.1770 Identification of plan.

* * * * *

(c) * * *

(1) EPA APPROVED NORTH CAROLINA REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanation
Subchapter 2D Air Pollution Control Requirements				
Section .0100 Definitions and References				
Section .0101	Definitions	1/1/2018	7/17/2020, [Insert citation of publication].	
*	*	*	*	*
Subchapter 2Q Air Quality Permits				
Section .0100 General Provisions				
Section .0101	Required Air Quality Permits	4/1/2018	7/17/2020, [Insert citation of publication].	
*	*	*	*	*
Section .0103	Definitions	4/1/2018	7/17/2020, [Insert citation of publication].	
Section .0104	Where to Obtain and File Permit Applications.	4/1/2018	7/17/2020, [Insert citation of publication].	
Section .0105	Copies of Referenced Documents	4/1/2018	7/17/2020, [Insert citation of publication].	
Section .0106	Incorporation by Reference	4/1/2018	7/17/2020, [Insert citation of publication].	
Section .0107	Confidential Information	4/1/2018	7/17/2020, [Insert citation of publication].	
Section .0108	Delegation of Authority	4/1/2018	7/17/2020, [Insert citation of publication].	
Section .0109	Compliance Schedule for Previously Exempted Activities.	4/1/2018	7/17/2020, [Insert citation of publication].	
Section .0110	Retention of Permit at Permitted Facility	4/1/2018	7/17/2020, [Insert citation of publication].	
Section .0111	Applicability Determinations	4/1/2018	7/17/2020, [Insert citation of publication].	
*	*	*	*	*
Section .0304	Applications	1/1/2009	7/17/2020, [Insert citation of publication].	
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[FR Doc. 2020-14092 Filed 7-16-20; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R10-OAR-2016-0057; FRL-10011-28-Region 10]

Air Plan Approval; OR; 2010 Sulfur Dioxide NAAQS Interstate Transport Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) approves the State Implementation Plan (SIP) submission from Oregon as meeting certain Clean Air Act (CAA) interstate transport requirements for the 2010 1-hour Sulfur Dioxide (SO₂) National Ambient Air Quality Standards (NAAQS). EPA has

determined that emissions from Oregon sources will not contribute significantly to nonattainment or interfere with the maintenance of the 2010 1-hour SO₂ NAAQS in any other state.

DATES: This final rule is effective August 17, 2020.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA-R10-OAR-2016-0057. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information or other information the disclosure of which is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available at <https://www.regulations.gov>, or please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT:

Kristin Hall, EPA Region 10, 1200 Sixth Avenue—Suite 155, Seattle, WA 98101, at (206) 553-6357, or hall.kristin@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, wherever “we”, “us”, or “our” is used, it means the EPA.

I. Background

On May 15, 2020, we proposed to approve the October 20, 2015, SIP submission from Oregon as meeting certain Clean Air Act (CAA) interstate transport requirements for the 2010 1-hour SO₂ NAAQS (85 FR 29369). The reasons for our proposed approval were stated in the proposed rulemaking and will not be re-stated here. The public comment period for the proposed rulemaking ended on June 15, 2020. We received no comments. Therefore, we are finalizing our rulemaking as proposed.

II. Final Action

In this final action, EPA approves the October 20, 2015, SIP submission from Oregon as meeting the interstate transport requirements of CAA section 110(a)(2)(D)(i)(I) for the 2010 1-hour SO₂ NAAQS.

III. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
 - Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
 - Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because it does not address technical standards; and
 - Does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).
- The SIP is not approved to apply on any Indian reservation land in Oregon and is also not approved to apply in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this

action must be filed in the United States Court of Appeals for the appropriate circuit by September 15, 2020. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: June 25, 2020.

Christopher Hladick,
Regional Administrator, Region 10.

For the reasons set forth in the preamble, 40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

- 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart MM—Oregon

- 2. In § 52.1970, amend Table 5 in paragraph (e) by adding, under the heading "110(a)(2) Infrastructure and Interstate Transport" an entry for "Interstate Transport for the 2010 sulfur dioxide NAAQS" immediately after the entry for "Infrastructure for the 2015 ozone NAAQS" to read as follows:

§ 52.1970 Identification of plan.

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(e) * * *

TABLE 5—STATE OF OREGON AIR QUALITY CONTROL PROGRAM APPROVED BUT NOT INCORPORATED BY REFERENCE

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
*	*	*	*	*
110(a)(2) Infrastructure and Interstate Transport				
*	*	*	*	*
Interstate Transport for the 2010 sulfur dioxide NAAQS.	Statewide	10/20/2015	7/17/2020, [Insert Federal Register citation].	This action addresses CAA 110(a)(2)(D)(i)(I).

TABLE 5—STATE OF OREGON AIR QUALITY CONTROL PROGRAM APPROVED BUT NOT INCORPORATED BY REFERENCE—
Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
*	*	*	*	*

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ENVIRONMENTAL PROTECTION AGENCY

DEPARTMENT OF DEFENSE

40 CFR Part 1700

[EPA–HQ–OW–2016–0351; FRL–10009–46–OW]

RIN 2040–AF53

Uniform National Discharge Standards for Vessels of the Armed Forces—Phase II Batch Two

AGENCY: Environmental Protection Agency and Department of Defense.

ACTION: Final rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA) and the U.S. Department of Defense (DoD) are promulgating discharge performance standards for 11 discharges incidental to the normal operation of a vessel of the Armed Forces in the navigable waters of the United States, the territorial seas, and the contiguous zone. When implemented, the discharge performance standards will reduce the adverse environmental impacts associated with the vessel discharges, stimulate the development of improved vessel pollution control devices, and advance the development of environmentally sound vessels of the Armed Forces. The 11 discharges addressed by the final rule include the following: Catapult water brake tank and post-launch retraction exhaust, controllable pitch propeller hydraulic fluid, deck runoff, firemain systems, graywater, hull coating leachate, motor gasoline and compensating discharge, sonar dome discharge, submarine bilgewater, surface vessel bilgewater/oil-water separator effluent, and underwater ship husbandry.

DATES: This final rule is effective on August 17, 2020.

ADDRESSES: The EPA has established a docket for this action under Docket No. EPA–HQ–OW–2016–0351. All documents in the docket are listed on the <http://regulations.gov> website. The

complete public record for this rulemaking, including responses to comments received during the rulemaking, can be found under Docket No. EPA–HQ–OW–2016–0351.

FOR FURTHER INFORMATION CONTACT: Katherine B. Weiler, Oceans and Coastal Management Branch (4504T), U.S. EPA, 1200 Pennsylvania Avenue NW, Washington, DC 20460; (202) 566–1280; weiler.katherine@epa.gov, or Mike Pletke, Chief of Naval Operations (N45), 2000 Navy Pentagon (Rm. 2D253), Washington, DC 20350–2000; (703) 695–5184; mike.pletke@navy.mil.

SUPPLEMENTARY INFORMATION: This supplementary information is organized as follows:

I. General Information

A. Legal Authority for the Final Rule

B. Purpose of the Final Rule

C. What vessels are regulated by the final rule?

D. What is the geographic scope of the final rule?

E. Rulemaking Process

F. Summary of Public Outreach and Consultation With Federal Agencies, States, Territories, and Tribes

G. Supporting Documentation

II. UNDS Performance Standards Development

A. Nature of the Discharge

B. Environmental Effects

C. Cost, Practicability, and Operational Impacts

D. Applicable U.S. and International Law

E. Definitions

III. UNDS Discharge Analysis and Performance Standards

A. Catapult Water Brake Tank and Post-Launch Retraction Exhaust

B. Controllable Pitch Propeller Hydraulic Fluid

C. Deck Runoff

D. Firemain Systems

E. Graywater

F. Hull Coating Leachate

G. Motor Gasoline and Compensating Discharge

H. Sonar Dome Discharge

I. Submarine Bilgewater

J. Surface Vessel Bilgewater/Oil-Water Separator Effluent

K. Underwater Ship Husbandry

IV. Additional Information in the Final Rule

V. Changes and Improvements Since the Proposed Rule

A. Public Comment

B. Modification to Proposed Standards

VI. Related Acts of Congress and Executive Orders

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

B. Executive Order 13771: Reducing Regulation and Controlling Regulatory Costs

C. Paperwork Reduction Act

D. Regulatory Flexibility Act

E. Unfunded Mandates Reform Act

F. Executive Order 13132: Federalism

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

H. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

J. National Technology Transfer and Advancement Act

K. Coastal Zone Management Act

L. Endangered Species Act

M. Executive Order 13112: Invasive Species

N. Executive Order 13089: Coral Reef Protection

O. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

P. Congressional Review Act

I. General Information

A. Legal Authority for the Final Rule

The EPA and DoD promulgate this rule under the authority of Clean Water Act (CWA) Section 312(n) (33 U.S.C. 1322(n)). Section 325 of the National Defense Authorization Act of 1996 (NDAA), titled “Discharges from Vessels of the Armed Forces” (Pub. L. 104–106, 110 Stat. 254), amended CWA Section 312, to require the Administrator of the U.S. Environmental Protection Agency (Administrator) and the Secretary of Defense of the U.S. Department of Defense (Secretary) to develop uniform national standards to control certain discharges incidental to the normal operation of a vessel of the Armed Forces. The term Uniform National Discharge Standards, or UNDS, is used in this preamble to refer to the provisions in CWA Section 312(a)(12) through (14) and (n) (33 U.S.C. 1322(a)(12) through (14) & (n)).